

Hawaiian Gazette.

VOL. XXXIX, NO. 84

HONOLULU, H. T., TUESDAY OCTOBER 18, 1904—SEMI-WEEKLY.

WHOLE No. 2634.

SECOND PARTY TICKET UP.

Waller Named for Senate, Langston for House.

Speeches Made and a Palama Meeting Afterwards.

Gilbert J. Waller received the nomination of the Fourth and Fifth District organizations last night for Senator to run on the ticket with Frank Harvey.

James F. Langston was also nominated by the Fourth District to run on the Democratic Representative ticket in place of C. J. Hutchins, resigned.

Both gentlemen were present at the meeting which was held in Waverley Hall, and accepted the honor conferred upon them. C. J. Hutchins made a speech in which he regretted that he was unable to run, having withdrawn at the request of the coast firm for which he is agent here, stating that he would like to have run as a protest against the Carter administration, also against the Republican convention for what had taken place at its meeting in Progress Hall, referring to the Cecil Brown incident.

Mr. Waller was nominated by Stephen Umauma and Mr. Langston by Fred Turrill. Mr. Waller, in accepting, said he was not much of a speechmaker, but that he felt honored at being asked to head the ticket of the Democrats with Frank Harvey. He said he would support the entire Democratic ticket and would also conduct his campaign in a manner which would not bring any discredit to the ticket, himself or any of the candidates. The matter of a nomination had been presented to him forcibly by friends, and after considerable deliberation he had decided that it was his duty to accept it. Mr. Waller's nomination and address were received with great enthusiasm.

Mr. Langston, in accepting the nomination for Representative, spoke for nearly half an hour. He thanked the convention for the honor conferred upon him and for the confidence the convention had reposed in him. He said that he knew that within the Fourth District he had a hard fight, probably the hardest fight in the islands. He said he would go into the fight realizing this, but he went into it with the promise of support of people whose aid he had not expected. He went into the campaign as a candidate for office, feeling it his duty to represent an element in the Fourth District which was interested in having a Legislature to which the people could appeal.

"From the foundation of the American government," said he, "the great men of the nation have advocated the rights of the common people. If Abraham Lincoln was alive today he would be a Democrat because he was an advocate of Democratic ideals and he looked forward to the time when labor would have equal if not greater rights at the polls than capital. If Garfield had lived his allotted time the Republican party would have advocated Democratic principles."

W. A. Kinney, in referring to the nominations just made, said that as Mr. Waller had had to make great sacrifices to decide to let his name go upon the ticket, it behooved every Democrat to stand behind him, as well as Mr. Langston, and send them to the legislature. On his motion three hearty cheers were given for Mr. Waller and his conferees.

Kekahi, in a long speech, supported the two nominees. The Democrats should let the Republican and Home Rule parties and candidates severally alone and vote only the straight Democratic ticket.

The chairman then called upon C. J. Hutchins to make a speech. Mr. Hutchins advanced to the chairman's table, and with considerable arm swinging, he said:

"I want to thank you for this opportunity to express myself. I am glad I am off the ticket because you have a better man now in it. He has shown himself to be a real gentleman and a politician, so what else do you want?"

A good Republican friend of mine

came to me the other day, and asked me if I did not want a pair of heavy stockings. I asked what for, and he said because I had cold feet. But I think you will find out that before I am through this campaign that I will give every minute of time to the support of the whole Democratic ticket from now on until the end, and that my feet are far from being cold.

"I am not off this ticket because of my own wish. I had a cinch on being elected. Scores and scores of good Republican friends came to my office and guaranteed me their support. I did not take this as an honor to myself, but as a protest against what is being done in this Territory right along and what was done in Progress Hall a short time ago.

"How proud I would have been to have had my name on the same ticket with that of G. J. Waller. No man whose sun rises and sets on Hawaii has my aloha more than he.

"He has stood during the last few days like a rock against the assaults of the enemy who were trying to keep him off the ticket. But he stayed and he is here tonight. Everyman of sense, unless he has a collar around his neck of the Republican party that chokes him, will vote for G. J. Waller.

"It is only due to my promise made five years ago to my company that I am off this ticket. I have to protect their interests."

The convention then adjourned.

REPUBLICANS AT MOILIILI TONIGHT

The Fourth District Republicans will hold a big meeting tonight at Moiliili. A good attendance is expected. The Home Rulers have invaded this section several times recently, but they are not believed to have made any deep impression on the voters.

FIFTH DISTRICT CANDIDATES TOUR

The candidates for the House on the Fifth District Republican ticket depart today for Kaneohe by way of the Pali. They will make a circuit of the island by way of Laie and Waijaila.

WALLER MAKES A KEYNOTE ADDRESS

A rousing Democratic rally was held on the lot opposite the Kaulani school at Palama last evening. There was a large attendance and considerable enthusiasm is reported. A party of speakers went down after the adjournment of the special Oahu Senatorial Convention. Among them were W. A. Kinney, G. J. Waller, Frank Harvey, Moore and others. Mr. Waller was introduced as the new senatorial candidate. J. K. Prendergast was chairman of the meeting. Mr. Waller spoke as follows:

MR. WALLER'S SPEECH.

Fellow-Citizens: In responding to the solicitations of my constituents of the Democratic party to represent the party in the present campaign, in the capacity of a senatorial candidate, I have done so with a full appreciation of the responsibility imposed; not only by reason of the issues that are now on trial before the electors of this Territory and which are to be determined at the coming election, but also on account of the questions of vital interest that are to confront the successful candidates of the present political contest and to be wrought out at the coming session of the Territorial Legislature.

In giving my pledge of loyalty to the party I find nothing embodied in its platform that I cannot endorse without any conscientious scruples. It proposes no selfish or unjust legislation; it frowns down upon the policy of forcing political fealty on government beneficiaries and it pleads for an economic system that will operate equitably. These principles cannot fail to enlist the thoughtful attention of those in whose hands is placed the destiny of the present campaign; and no good citizen should hesitate to cast his vote in behalf of the party that has pledged itself to safeguard the sacred liberty of the ballot. It is to be hoped that the outcome of this election will fully demonstrate that on this issue, if on no other, the people are of one mind, and that they will brook no interference with the rightful exercise of their franchise.

The Democratic party has no quarrel with the powers that be. Its votaries have not committed themselves to the task of harassing the executive of the Territory in his efforts to promote the public weal; but it certainly believes that "in the multitude of counselors there is wisdom" and it will therefore insist on the constitution of the powers of the executive within their lawful province.

One thing to be borne in mind in considering the platform of the present campaign is this: "The best interests of the people are best served by executive action that is not hampered by legislative interference."

PUBLICIST OF JAPAN IS HERE.

A Member of Diet Arrived Last Night.

Says Japan Can Stand Cost of a Long Conflict.

Hon. I. Ishizuka, a member of the Japanese Parliament, arrived on the steamship Doric last evening, and will remain in Honolulu for about a month for the benefit of his health, when he will return to Japan to be present at the opening of the Diet. Mr. Ishizuka made a former visit here about six years ago.

In an interview accorded last evening to an Advertiser representative, Mr. Ishizuka said that he looked upon the coming session of parliament as one of the most important in the history of modern Japan, as it will have to deal with the issues brought up by the Japan-Russia war and will have to make appropriations for the war's continuance. The financial problem will be one of the greatest matters to contend with.

Parliament, however, will be a unit in its support of the government in the conduct of the war. Mr. Ishizuka states that in this connection there are no factional differences and all reasonable propositions from the cabinet will receive full parliamentary support.

"I have not very much to say concerning the war," said Mr. Ishizuka through an interpreter. "I was surprised in reaching Honolulu to find that you have such a complete resume of the news of the war by cable. I am also very much gratified to learn of such good news attending the Japanese armies in Manchuria.

"In giving my opinion as to the war, I will say that it is well known to everybody that this war had to come sooner or later. With this prospect in view Japan had made preparations by large appropriations for a great navy. The new navy was created since the China-Japan war of '95, and was therefore, in the finest condition and ready for any emergency when war began.

"Of course, all the civilized powers have known of the underhand work of Russia that the real ambition of Russia was to dominate the East. If Japan did not do anything the time would come, sooner or later, when Japan would be at the mercy of Russia and

the peace of the Orient would be that of Warsaw.

"The present war was brought about purely through the acts of Russia. Although Japan had been prepared for war, yet she used every honorable means to avoid it. Japan hoped to arrive at a definite settlement of the issues at stake without recourse to arms in order to maintain the peace. Unfortunately this was not available and the result was the commencement of war.

"Up to the present the tide of battle has been in favor of Japan. I have always thought it would be so.

"The only problem that has been bothering us is a financial one. Just how long could Japan stand this war? But since the war began a close observation of the financial resources has been made, and although I may be mistaken, in my opinion, Japan can stand another two years of war as well as Russia. The financial problem can eventually be solved by appealing to the middle and richest classes. However, I expect the war will terminate before then, but if it does not, then the war will continue on patriotism and the whole nation will put up its last dollar.

"Japan believes that the sympathy of the nations is with her, and I believe that Japan still has credit with the powers to borrow more money if need be.

"Parliament is a unit in supporting the cabinet in its war measures. The war is not one of government, merely, like that of Russia, but it is one which involves the pride and the future of the nation."

BROTHER ON STAFF OF MARSHAL OYAMA

A brother of Editor Shiozawa of the Hawaii Shingo is a captain in the Japanese army in Manchuria and is at present attached to the staff of Marshal Oyama. He is a veteran of the Japan-Chinese war and was lately with the Peking legation. He is lame, having been wounded in an engagement in the last war.

WRIGHT'S CHEEK BONE BROKEN

Fred. Wright of the Maile Ilima football team, while practicing last evening with his eleven against a School team, unfortunately ran against Lightfoot of the latter organization, and broke his cheek bone. He was taken from the field and sent to a doctor's office in a hack. The injury is said to be somewhat serious.

MRS. S. C. ALLEN WILL BUILD

A \$14,000 addition is about to be erected by Mrs. S. C. Allen to her Alakea street residence. The addition will adjoin the two-story part of the old home. The remaining portion is now being torn down.

PROCEEDINGS OF THE EPISCOPAL CONVENTION

(ASSOCIATED PRESS CABLEGRAMS.)

BOSTON, Oct. 18.—The Bishops have adopted the amendment to the divorce canon which the Deputies rejected. The convention has placed the islands near Hawaii under the Episcopal jurisdiction of the Bishop of Honolulu.

A PORTUGUESE CRISIS.

LISBON, Oct. 18.—The Cabinet has resigned.

INFANTA MARIA DEAD.

MADRID, Oct. 17.—The Infanta Maria, sister of the King, died today from childbirth.

IN THE PRIZE RING.

SAN FRANCISCO, Oct. 18.—Bowyer got the decision over Neil.

KUROPATKIN STANDS FAST

Situation is Still Critical and Counter-Attacks on Oku's Line Futile.

Baron Hayashi Says Oyama Will Go to Harbin. Winter Campaign Impends—Baltic Fleet Coaling.

(ASSOCIATED PRESS CABLEGRAMS.)

MUKDEN, Oct. 18.—The Russians made six counter-attacks on Oku yesterday and were repulsed each time. They are now advancing for a seventh onslaught.

RUSSIANS CHEERING UP.

ST. PETERSBURG, Oct. 18.—The news from Kuropatkin is more reassuring. The situation is still critical and there is no sign of the ending of the battle. Kuropatkin is holding the Japanese back with the center, and his right is fighting the enemy's left near Tuminling.

JAPANESE WILL GO TO HARBIN.

LONDON, Oct. 18.—Baron Hayashi, the Japanese Minister, says the war will continue throughout the winter. When Tieling is taken the Japanese will advance to Harbin.

THE BALTIC FLEET COALING.

COPENHAGEN, Oct. 18.—The Russian Baltic fleet is coaling in Langeland Belt.

SYMPATHY FOR KUROPATKIN.

Popular sympathy is expressed for General Kuropatkin.

PORT ARTHUR DOOMED.

It is believed here that Port Arthur is doomed. It is feared that China will abandon neutrality.

RUSSIAN LOSSES MUCH THE HEAVIER.

TOKIO, Oct. 17.—Reports indicate that the losses in the battle of Mukden amount to 60,000, of which 40,000 are Russians. The fighting has ceased before the right and center armies. It continues on the left.

BATTERIES REACH SHIPS.

The Japanese land batteries at Port Arthur are reaching the Russian fleet.

RETREATING ON FUSHAN.

LONDON, Oct. 17.—Part of the Russian army is retreating toward Fushan.

BALTIC FLEET AGAIN SAILS.

LIBAU, Oct. 17.—The Baltic fleet has sailed.

LABOR AGENT OZAWA BACK FULL OF FAITH IN MIKADO'S VICTORY

A. K. Ozawa, of Honolulu, the Japanese labor agent of the Hawaiian Planters' Association, returned last evening in the S. S. Doric from a two months' visit to Japan, bubbling over with enthusiasm concerning the prospect of a complete victory of Japan over Russia in the present war.

Mr. Ozawa, on being interviewed last night at the Mochizuki Club, Waikiki, said that any doubts he had had prior to going to Japan as to whether the Empire was able to carry on a long war with Russia, have been dispelled. "I did have doubts before going to Japan," said he, "but my visit was enough to convince me that the Empire can stand out as long as Russia. There is absolutely no waste entailed in the conduct of the war. Everywhere there is shown a judicious economy. The very appearance of the well-drilled men who are being sent to the front is a convincing argument in favor of Japan's chances.

"But be that as it may, I had an opportunity to learn that General Shuman was right when he said that 'War is hell.' When I saw the trains arrive at Tokyo filled with wounded soldiers with heads bandaged, others with legs and arms shot off, and most of them lying on stretchers, it occurred to me that from a humanitarian standpoint the powers should stop the war. Japan has already shown that she is capable of defending her rights by force of arms, and the future for which she went into war have not only been settled by her successful crushing defeat of the Russian forces.

As to Port Arthur, according to the plans of the Japanese, that fortress could have been taken before this, but it could not be taken by assault and with

an unnecessary loss of life, for in taking it by storm the Japanese assaulting armies would have made tremendous sacrifices. However, I fully believe that on the Emperor's birthday, on November 3, the fortress will fall. I hear that the Japanese land batteries are now reaching the Port Arthur fleet. They could have reached it before this, but no doubt the plan had been to wait until the end approaches.

"When Port Arthur does fall the world will then know that the fortress was much stronger even than nations have been led to believe, and this will all the more rebound to the credit of Japanese military strategy.

"I was in Tokyo when news came of Liao-yang, the first battle. The preparations for the celebration of the fall of Port Arthur were turned into a celebration of the victory at Liao-yang. The streets were so crowded with celebrants that a ricksha could not pass through and I had to hire a two-horse carriage to make my way.

"I was passing through Shiba park one day and saw a great mass of cavalry quartered there. I was impressed with the excellent manner in which the horses and men were cared for. Everything seemed just so and what doubts I had as to the outcome of the war were dispelled at once, for with such men and such discipline I thought that the nationality of Japan was safe.

"Of course Japan is much smaller than Russia, and her resources may not be as great as Russia is at a disadvantage, at least, in the details she has maintained accumulating more reinforcements. This is putting her to a great expense. On the other hand the cost of maintaining 1,000,000 Japanese in the field is about one-fifth what it would cost Russia for the same number of soldiers."

BOYD GETS TEN YEARS

Kinney Wants Punitive Damages Against S. Parker.

(From Sunday's Advertiser)

E. S. Boyd, former Commissioner of Public Lands, was sentenced by Judge W. J. Robinson yesterday morning to be imprisoned at hard labor for the term of ten years. This sentence was in pursuance of Boyd's conviction as charged in the indictment, containing three counts, of embezzling moneys of the Territory of Hawaii while occupying the dual position of secretary of the Public Lands Department and sub-agent of lands for the fifth district. Other indictments are pending against him for embezzlement as Commissioner of Public Lands, to which office he was promoted in the year 1931.

When Boyd appeared for sentence, besides S. F. Chillingworth, who defended him on trial, former Judge A. S. Humphreys attended him as counsel. Mr. Chillingworth, on defendant's being asked to stand up for sentence, made the motion for a new trial of which he had given notice. The motion being promptly denied, Mr. Humphreys presented a motion in arrest of judgment. This also was denied and the court asked the defendant the usual question, if he had anything to say why sentence should not be pronounced upon him.

Mr. Chillingworth first spoke for Boyd, referring to his wife and family and pleading for leniency on the score of the first offense in an otherwise honorable career.

Mr. Humphreys followed, speaking of human frailties in general and Hawaiian in particular owing to former free and easy customs of the race. He referred to Boyd's visit to Washington with the incentives to spending money there, making that incident out as the cause of his putting his hand in the public till. Mr. Humphreys also spoke of the wife and children.

Attorney General Andrews remarked on the disagreeable task it had been to him to prosecute Boyd, whom he had long known and been on friendly terms with. The temptations of Washington could not have been the occasion of Boyd's downfall, for the occasion of this case was committed before he went to Washington. Boyd, moreover, had as much white as Hawaiian blood.

Judge Robinson, in passing sentence of ten years' imprisonment at hard labor, said he took into consideration all that had been said in the defendant's behalf and in sympathy for the family. Yet he also had to consider the seriousness of the offense and the necessity of making an example to deter others from like offenses.

WANTS PUNITIVE DAMAGES.

Judge De Bolt granted the motion of W. A. Kinney to amend his complaint against Samuel Parker for libel. S. H. Derby made an affidavit in support of the motion, representing that he was the attorney who thus far had charge of all proceedings in the cause and that, in preparation for the argument on demurrer, he discovered that the plaintiff was entitled to exemplary and punitive damages. He "averts that, while he is not clear to the effect that exemplary damages may not be recovered in the above cause under the original complaint therein, the amendment asked puts the matter beyond all question and is in furtherance of the plaintiff's rights."

The amendment claimed to be a cinch as above is as follows:

"That the said defendant composed, printed and published, and caused to be composed, printed and published the aforesaid false, scandalous, malicious, libelous and defamatory matter concerning the said plaintiff as hereinabove set forth, and expressly caused the same to be published in the principal newspapers of Honolulu aforesaid, well knowing that said matter was false, scandalous, malicious, libelous and defamatory, and that it was not in any way material, pertinent or relevant to any matter in the aforesaid cause, to wit, in the matter of the guardianship of Annie T. K. Parker, a minor, but wilfully, wantonly and slyly out of spite and malice to the plaintiff, and contriving and intending to injure the said plaintiff in his credit and reputation aforesaid and to his said profession as a lawyer, and to cause it to be so reported and believed that the said plaintiff had conducted himself dishonestly, injudiciously and improperly in relation to the matters referred to in said libelous matter, by causing the said plaintiff in his said credit and reputation and profession as a lawyer, and plaintiff claims exemplary and punitive damages by reason of the foregoing facts."

Where punitive damages are not claimed in a civil case, the complaint must show actual damages sustained from the libel.

San Francisco and Honolulu were found not guilty of libel in Judge Derby's court yesterday. They were defended by J. W. Anderson.

MERCHANTS INDORSE THE PROMOTION COMMITTEE

Full Report of the Committee and the Association Report Upon Its Work—Unanimous Feeling That Propaganda Should Go On.

(From Saturday's Advertiser)

Many important matters were decided at the meeting yesterday afternoon of the Merchants' Association, principal of which were the endorsement of the Hawaii Promotion Committee's work and a hearty recommendation for its continuance; the decision as to the boundaries for the proposed Federal Building; the proposition to hold a conference with the Chamber of Commerce relative to dividing the control of the tonnage tax imposed on imported merchandise for the conduct of promotion work; and the informal expression, that although the Association cannot dabble in politics, yet candidates for the legislature should heed the request of the merchants to give further Territorial aid to the promotion work.

The first business was the adoption of the report of the Committee on Publicity and Promotion presented by Messrs. E. A. McInerney and I. S. Dillingham, based on the report of the Hawaii Promotion Committee for the past year. The reports, in reversed order, are as follows:

DETAILS OF THE WORK.
The Hawaii Promotion Committee began its work with the opening of its local office August 1, 1933. At a prior conference between its members and the Governor and Treasurer of the Territory of Hawaii, there was placed at the disposal of the Committee the \$15,000.00 appropriated by the 1933 Legislature for advertising. Under this agreement there was expended \$11,843.24. This amount was divided, \$5,667.49 for advertising and \$6,175.75 for printing. This is the total of assistance received from sources other than the Chamber of Commerce, the Merchants' Association and the business community at large.

ADVERTISING.
The advertising began with Oct., 1933, for which time full and quarter page advertisements were ordered extending over the period to Jan. 1, 1934, some 22 mediums being used. Up to the present time bills for advertising for the year 1934 aggregate \$4,069.52. This covers not only the advertising in magazines and newspapers in general but as well includes \$496.22 expended in California during last winter and spring for special magazine and newspaper space. The list of mediums includes all of the best known popular magazines.

PRINTING.
The publications prepared and distributed by the Hawaii Promotion Committee numbers seven. The book "Hawaii," published by Fraser, of which 50,000 were bought by the Territory, was placed in our hands, and some 25,000 have been distributed through the mails, through steamship and railroad assistance and over the counter. The largest edition was the folder "Hawaii," of which 250,000 were issued at a cost of \$4,400.00 for printing, "Beauty Spots, Hawaii," of which 100,000 copies were issued cost to print, \$1,200.00, and the cuts for these two books added \$416.85, making the total expense, \$6,016.85, which as noted above was paid by the Territory.

"Honolulu What to See and How to See It" is a vest pocket folder containing a map of the city. Of this 25,000 were issued at a cost of \$34.50.

"Hawaii as a Side Trip" is a four page pamphlet issued for use in California, in edition of 50,000 at a cost of \$55.00.

"Agricultural Possibilities of Hawaii" in 10,000 edition cost \$80.00.

"Hawaii, Its People, Their Legends" of which 25,000 were printed, cost \$115.55 or \$7,397.50 as total for publications not counting small leaflets issued from time to time as accessories to these publications to meet special occasions. This gives an aggregate of 450,000 copies of which at the present time, counting stocks on hand here and in San Francisco, probably 30,000 remain undistributed.

DISTRIBUTION.
The first task of the Promotion Committee was to get into touch with American Railroads and Trans-Continental Truck Lines, various short lines, reaching summer and winter resorts, and the steamship people in this ocean. It is through these agencies that the largest circulation has been secured for literature bearing on Hawaii. These Transportation companies placed Hawaii folders and booklets in their leading offices, in one instance, that of the New York Central lines, its seventy-seven information Bureaus supplied with all publications for free distribution. In addition to which Mr. C. H. Daniels, G. P. A. of the road, has answered many mail inquiries concerning Hawaii.

C. F. McWilliams, in conjunction with T. G. McKay, G. P. A. of the Trans-Pacific lines, works throughout the Orient; The New Zealand Government Bureau of Tourists and Health Resorts distributes in New Zealand, in conjunction with the Canadian-Australian and Oceanic Steamship Co's, while those two transportation companies in conjunction with the Union Steamship Co. have distributed Hawaii material throughout Australia. Special California and Pacific Steamer distribution is effected through J. Walter Scott, of San Francisco, who covers the Pacific coast from Seattle to San Diego.

The special agencies in conjunction with the transportation companies have been responsible for the distribution of about 450,000 pieces of printed matter bearing upon Hawaii.

From the local office there have been distributed above 50,000 pieces. This is shown largely in the postage bill which averages more than \$100.00 a month.

AGENCIES.

The home office of the committee has been considered the headquarters for the direction of its work, and offices were maintained for the past nine months in San Francisco, Los Angeles and Boston. The San Francisco and Los Angeles offices have now been combined at the latter point effecting a saving of above \$100.00 a month.

RAILROAD AND STEAMSHIP COMPANIES.

From the very first the most cordial relations have existed with the great railway and steamship companies. The material issued by the committee has been transported and distributed practically without cost.

The Southern Pacific Co. and the Santa Fe system, the New York Central, the Chicago, Rock Island and Pacific, the Missouri Pacific, the Chicago and Northwestern, the Union Pacific, the Chicago, Milwaukee and St. Paul and the Canadian Pacific railways have made liberal mention of Hawaii as an objective point for tours, in their various folders and advertisements, and assurances have come recently, in response to circular letters, that larger mention will be made in the future.

The three steamship companies which carry passengers to and from Hawaii, the Pacific Mail, Oceanic and Canadian-Australian, have issued folders descriptive of the islands, which are well illustrated and widely distributed.

OFFICE WORK.
From the opening of its local office there has been a constant use of the facilities afforded, by travellers, both those passing through, and tourists who have made considerable visits to Honolulu. During the month of February, 1934, the average daily number of callers was above fifty. When a failed through steamer is in port the number of calls ranges from forty-five to ninety, and during the presence, at the beginning of the year and later, of the American fleets and foreign warships, wide opportunities for distribution were afforded by the constant calls of officers and men, seeking booklets to be sent abroad.

From the first the rule was established that every letter must receive a typewritten, personal response, and of the more than 5,000 letters which have been received in the past eleven months, for the advertisements did not begin to bear fruit until the issuance of October magazines, each one has been responded to either with a form letter, or where there has been a special inquiry, with a long and exhaustive statement. The office of the committee has been used for the display of wall and relief maps, various products of the islands and the complete pictorial exhibit prepared by the Hawaii Exposition Association and sent to Japan, with the exception alone of the few frames which were not returned.

ACCOMMODATIONS AND RATES.

The question of rates of fare between San Francisco and Honolulu was taken up in person by the secretary of this committee with the general passenger agents of both the Pacific Mail and Oceanic Steamship Companies, as well as Mr. R. P. Schwerin, vice-president and general manager of the Pacific Mail, one year ago, in response to representations then made, both officials declared that the ruling rates of passage could not be changed under the existing circumstances. On more than one occasion the subject has been reopened but universally the response has been that the companies consider their rates such that they could not make any reduction. Early in 1934 a new attempt to secure consideration of lower rates was made, by letter. These responses were received. From R. P. Schwerin, Pacific Mail, dated August 20, 1934. "I am glad to say that the Pacific Mail Steamship Company does not see its way clear to reduce its present ruling rate of \$13.00 San Francisco-Honolulu, which as you know is already very low in fact much lower than the rates in force with the Trans-Atlantic for the same route. We shall still be very glad to receive and return your letter."

Using material through our various offices and do everything we can to promote travel to Hawaii, but it is absolutely impossible for us to reduce our rates."

From L. E. Cockcroft, Oceanic Steamship Co., dated San Francisco: "We have carefully considered the matter of passenger rates to Honolulu and in view of all the circumstances and the average proportion that we receive, it is not deemed practical at the present time to make a reduction as you suggest. * * * we feel confident that the present rates in effect do not interfere in promoting travel to Honolulu." Even so late as June when an effort was made to secure reduction on account of the Knight Templar convention in San Francisco, the response was made on both hands that the present party rate of \$18.00 for fifteen passengers, was deemed so low that no reduction was possible. Again last month this matter was taken up in person with the general passenger agents of the two lines but without effectiveness.

The Canadian-Australian S. S. Co. took up the question of fare reduction in earnest this summer and the decision of Mr. Robert Kerr, passenger traffic manager, was communicated to this body in the following letter:

Mr. E. M. Boyd, Secretary, Hawaii Promotion Committee, San Francisco, Cal.

Honolulu Excursions.
Dear Sir: Replying to your favor of September 6th.
I take pleasure in advising you that we have arranged for our November, December and January sailings to sell at a special round trip rate of \$100.00 from Portland, Puget Sound and British Columbia ports to Honolulu and that this rate will be used for basing purposes by all agents east of Vancouver. I trust that this may produce the desired result.

Yours truly,
(Signed) ROBERT KERR.

THE OUTLOOK.

Arrangements have been completed whereby the well known tourist agency of Thomas Cook & Son will offer, through all their various offices, tickets under the party rate of \$110.00, the steamship companies receiving them if fifteen persons are assembled from whatever quarter for any one steamer.

Messrs. Thomas Cook & Son, Raymond & Whitcomb, Gates Tour Co., R. H. Crunden & Co., Nippon California Tour Co. plan tours to Hawaii during the present winter. The Pennsylvania Railroad Co.'s personally conducted service has the same subject under consideration for this winter, as has the Santa Fe System.

The office correspondence at the present time indicates more than fair interest in Hawaii, and the steamship companies look forward to greater travel after the election. The presence of larger ships in the Pacific Mail line indicates more ease in securing accommodations, which must have beneficial results upon the travel.

EXPENSES.

The present advertising of this committee, in the hands of Frank Seaman of New York, has been given an appropriation for three months of \$500.00 a month beginning with November. The issues of folders and booklets are so nearly exhausted that another volume becomes necessary before the end of the year.

FINANCIAL STATEMENT.

Following is the financial statement compiled from two statements, one of January 1st the other of June 30th, 1934, made by the treasurer, J. A. Gilman:

FINANCIAL STATEMENT TO JUNE 30TH, 1934.

Receipts.	
By subscriptions from sundry subscribers	\$3,700.45
From Honolulu Chamber of Commerce	15,000.00
	\$18,700.45
Disbursements.	
Postage	\$1,377.00
Rent	1,535.15
Expense office and incidentals	1,139.12
Salaries (Hon., San Fran. and Los Angeles)	5,815.35
Furniture and fixtures (Hon. and San Francisco)	811.00
Stationery	142.84
Lantern slides	141.35
Advertising and Printing	4,328.75
Cash in Bank June 30th	5,699.31
	\$18,700.45

PROMOTION WORK ENDORSED.

Following is the report made by a Committee of the Merchants' Association on the report of the Promotion Committee:

Honolulu, Oct. 14, 1934.
To Gen. W. Smith, President Merchants' Association, Honolulu.

Mr. President: Pursuant to a resolution passed by the directors of this Association September 25 last, by the terms of which resolution your Committee on Publicity and Promotion was organized to see if a comprehensive report on the operations of the Hawaii Promotion Committee, has been made to submit same together with comments by your committee which will show in a condensed form the actual results of the report.

Continued on Page 2.

BONDSMEN ARE SUED

Wind Experts Testify. Trial of Robbery Charge.

William W. Bierce, Limited, is suing Clinton J. Hutchins, trustee of Kona Sugar Co., Ltd., and the executors of the will of Henry Waterhouse on a bond for the return of property. The property was the railway plant of the Kona Sugar Co. furnished by the Bierce corporation and the bond was in the sum of thirty thousand dollars. In a replevin suit by the Bierce concern against Hutchins the High Sheriff had taken possession of the property, but Hutchins obtained its return, pending judgment, under the bond. The late Henry Waterhouse and Arthur B. Wood, one of his partners, were sureties on the bond. Judgment was given against Hutchins and in favor of the Bierce corporation for the return of the property or, in case it was not returned, its value adjudged as \$22,000. The present suit is therefore to recover from the Kona Sugar Co.'s trustee and his bondsmen the sum of \$22,000 with interest thereon from March 19, 1934.

CRIMINAL CASES.

The trial of Joe Caspina and Kamela for robbery, not burglary as previously reported, continued throughout yesterday before Judge Gear.

Matsuda, convicted of heedless and furious driving, was sentenced by Judge Gear to pay a fine of \$20 with costs remitted.

HOW THE WIND BLEW.

Kwong Lee Yuen Co. vs. Alliance Insurance Co. outlasted yesterday before Judge De Bolt and was continued at 4 p. m. till Monday morning. A good deal of humor was developed on the question of how the wind blew in Honolulu on January 20, 1930. Mr. Bailou put on a string of witnesses to prove that the strength of the trade wind that day was "extraordinary," and he held the Century Dictionary upon his knee to test the understanding of the word extraordinary by the witnesses. One of the witnesses testified the wind was strong, but concluded with the definition:

"It was an ordinary trade wind."

"You're dead right—no cross-examination," Mr. Robertson, vacillated and the witness retired amidst general laughter.

John Lucas, called for the defendant, retorted on a question by Mr. Bailou in cross-examination: "I'll answer you direct when you don't ask a foolish question."

A little later "Jack" gave a reply so emphatic as to take the breath fairly away from court, counsel, jury and spectators, on which he was abruptly excused and returning respiration in the courtroom was broken with merriment.

H. A. Widemann ("Mann"), a former Honolulu boy and later swimming champion of California, arrived in the Alameda on a visit to relatives. He is now a fruit grower in California. His elder brother, Carl Widemann, is at present in town as a member of the Federal grand jury.

WHAT IT WILL DO.

A woman buys a sewing machine for what it will do; not as an article of furniture. A man carries a watch to tell him the time; not as an investment of surplus capital. The same principle when one is ill. We want the medicine or the treatment which will relieve and cure. The friend in need must be a friend indeed, something, or somebody, with a reputation. There should be no guesswork in treating disease. People have the right to know what a medicine is, and what it will do, before they take it. It must have behind it an open record of benefit to others for the same diseases, a series of cures that proves its merit and inspires confidence. It is because it has such a record that

WAMPOLE'S PREPARATION is bought and used without hesitation or doubt. Its Good Name is the solid basis for the faith the people have in it; and a good name has to be earned by good deeds. It does what you have a right to expect it to do. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In Scrofula, Anemia, Nervous and General Debility, Influenza and Wasting Complaints, it is to be thoroughly relied upon. Doctor J. L. Carrick says: "I have had remarkable success with it in the treatment of Consumption, Chronic Bronchitis, Catarrh and Scrofulous Affections. It is of special value in nervous prostration and depraved nutrition; it stimulates the appetite and the digestion, promotes assimilation, and enters directly into the circulation with the food. I consider it a marvelous success in medicine." Every dose effective. "You cannot be disappointed in it." Sold by chemists throughout the world.

PUNA CANE CONDITIONS

Pfotenhauer Files An Elaborate Report.

(From Saturday's Advertiser)

William Pfotenhauer, receiver of Puna Sugar Co., Ltd., has rendered an elaborate report to the Circuit Court of the First Judicial Circuit, on the condition of the plantation, etc. He visited the plantation on September 4, remaining thereon four and one-half days, thoroughly inspecting the premises.

The plantation owns in fee simple, Mr. Pfotenhauer states, 821 acres of land. Together with leased lands it has 5000 acres of cane land, of which about 2000 acres have been cultivated. The cultivated area consists of 1122 acres at Kapoho, 78 acres at Kamale, and 900 acres at Pahoehoe. Of this cultivated area 135 acres is fee simple land and the balance leasehold.

The report goes into details of the leases. There are two main divisions of the plantation known as the Pahoehoe and Kapoho divisions, situated respectively 15 and 24 miles from Hilo on the line of the Hilo Railroad Co., with a subdivision known as the Kamale division about four miles from the headquarters of the Kapoho division. The main divisions are connected by the standard gauge railway of the Hilo Railroad Co. and the plantation railroad is of standard gauge, the roadbed well ballasted and the 40-lb. rails in excellent condition.

The plantation is equipped with laborers' quarters to accommodate 500 men, stable room for 160 head of stock, a manager's house, seven houses for employees with families, stock and office buildings, blacksmith and carpenter shops, 131 head of good California mules, 11 horses, 9 donkeys, 9 milch cows, 22 cattle in herd and 6 calves, 200 cane cars, one 30-ton Porter locomotive, 947 miles railroad, about 3 miles of portable track, 2 donkey engines, one steam pump together with tools and implements, wagons, carts, harness, saddles, materials and firewood.

The amount expended by the company on real estate, as shown by its report for 1905, is \$752,623.52. The receiver found the equipment above mentioned in good condition and ready for immediate use. He caused 182 cane cars which had been hauled to the mill yard of the Olaa Plantation Co., Ltd., to be brought to the headquarters of the Kapoho division, likewise collected and housed the tools and implements about the plantation.

Mr. Pfotenhauer reports in detail on the fields under cultivation. Many of them need stripping or cultivating. Given such attention as they need the fields will yield from 12 to 40 tons of cane per acre, most of the figures ranging from 25 to 35 tons per acre.

A summary of the acreage noted is as follows:

Total crop 1905. Plant cane, 126.36; long ratoons, 586.61; short ratoons, 357.30; total, 1070.27 acres.

Total crop 1906. Plant cane, 172.85; long ratoons, 20; total, 192.85 acres.

"After such investigation and further inquiry into local conditions," Mr. Pfotenhauer says, "the receiver decided to expend the limited amount of money allowed him by the court in caring for the fields of cane above mentioned. The receiver was guided in reaching his conclusions by the limitations of the court's order as to the preservation and not development of the plantation; the conditions of the fields; the fact that Puna is strictly a season plantation, the cane tasselings in November, and how the funds available could be spent with the greatest benefit to the cane in its various stages of growth. The receiver deemed the expenditure of funds on the 192.85 acres of the 1906 crop justifiable in order to supply seed cane for prospective purchasers of the plantation, without which cane the proposition as a whole might prove less attractive."

Statements are made regarding many fields which would have constituted the 1906 crop, but which are lying neglected or abandoned. The total area of such is 822.81 acres. Something over 100 acres of land cleared but never cultivated is described. Three areas amounting to 2600 acres are described as available for development, one of which (350 acres) can be cleared for \$25 an acre, and two (total 2300 acres) for \$90 an acre. Seven or eight miles of railroad extension at a cost of \$12,000 a mile would be required for development these lands.

A site was selected for a mill by the company, its intention having always been to have its own mill. The site is on the south side of Green Lake Hill, about 1 1/2 miles from Kapoho or Puna station, and the plantation railroad can be extended to it for \$7500. It is a convenient location for the handling of cane as the grade gravitates to the site. Water could be easily obtained from Green Lake, a body of about a million gallons of water supplied by perennial springs. The water is fresh with absolutely no trace of salt, and so reported by Dr. Maxwell, chemist. The site is on land leased from the Lymann Estate, with the privilege to lease of buying twenty acres for a mill site, at \$100 an acre.

"The value of the cane has been estimated as follows: 15 tons per acre at \$4.50 per ton of cane; or \$67.50 per acre, less thousand and seventy-two acres at \$2.10 per acre would yield \$20,280. Estimated cost of harvesting and placing cane in cars on main track at \$15 per acre, to a total of \$10,920, plus hauling 20,000 tons cane at \$25 per ton equals \$500,000, or a total expenditure

of \$511,120, leaving a balance of \$66,912.80.

The receiver discharged all help not necessarily required on the plantation, retained a bookkeeper and general overseer at \$125 a month and interest aggregating a total fixed charge of \$200 per month for the Kapoho division, and \$50 per month on the Pahoehoe division. A contract with a stripping gang was drawn by the receiver's attorney, and the men immediately placed in the field, as were also weeding gangs on both the Kapoho and Pahoehoe divisions. For the month of September the receiver has expended the sum of \$1906.78—of which he gives an itemized account.

His receipts in cash on hand, rents, horse-shoeing, team hire and store sales amounted to \$103.51. The receiver has reduced the insurance on the premises from \$5,605 to \$750, thereby saving a premium of \$485.15. Heretofore insurance had been placed on the live stock and many buildings which the receiver has deemed advisable to cancel.

"The following are among the more important contracts made by the Puna Sugar Company, Limited:

"1. Contract dated July 18, 1901, between Puna Sugar Co., Ltd., and B. F. Dillingham Co., Ltd., term 15 years; agency contract for disposal of sugars and purchase of supplies.

"2. Cane hauling contract dated October 20, 1902, between Puna Sugar Co., Ltd., and Hilo Railroad Co.

"3. Contract dated October 20, 1902, between Puna Sugar Co., Ltd., and Olaa Sugar Co., Ltd., same being grinding contract, and providing a guarantee of payment of interest, rent and taxes by Olaa Sugar Co., Ltd., for Puna Sugar Co., Ltd. Relative to this latter contract the receiver asks the court for instructions as to whether suit should be brought upon the same, and to that end that this court appoint a day for hearing, with notice to all parties to this suit as to the propriety and form of such instructions.

"Upon a reading of the pleadings in this action and a view of the premises, the receiver recommends that said property be sold at an early date, as a whole if possible, and if not then in lots and parcels."

DEATH OF JAMES RENTON OF KOHALA

(From Saturday's Advertiser)

By wireless yesterday morning, word was received of the death of James Renton of Kohala. The sad event occurred at 7 p. m. Thursday, October 13th. The deceased was in his seventy-fourth year.

Interment took place at the Kohala Cemetery at 2 p. m. on Friday, Oct. 14th.

James Renton was born at Picton, Nova Scotia, in 1831. Of an adventurous nature he left his birthplace, when a young man, for Australia, where he lived at Melbourne until the great mining excitement at Ballarat, when he proceeded to the gold fields and followed their fluctuating fortunes for three years.

From Australia he went to Puget Sound and engaged in the lumber business, occupying the position of superintendent in several mills. Here he also resided three years. He then decided to go to Honolulu, where he arrived in 1863, and here he made his permanent home. After his arrival, Mr. Renton was foreman of the Pattern Department at Honolulu Iron Works for a long period.

Twenty-seven years ago, shortly after the passage of the Reciprocity Treaty with the United States, he entered the sugar business at Union Mill Co., Kohala, and has ever since been identified with that business—first as manager—then as president and manager.

To mourn his loss he leaves a wife, two sons, two daughters and seventeen grandchildren. Mrs. Renton is at the old home at Kohala with one son, Henry H. Renton, who will carry on the business. The daughters, Mrs. B. D. Bond and Mrs. John Hind, reside permanently at Kohala. The remaining son, Geo. F. Renton, is manager of the Ewa plantation.

James Renton was a man of sterling worth, broad-minded and charitable. Always genial, always hospitable, he had a host of friends. Until stricken with his last illness, he was active as a business man and as a citizen, always throwing the weight of his influence on the right side, and Kohala has lost one of its worthiest men.

A good husband, an affectionate father, a generous friend, he lived a long and useful life. He has fulfilled his destiny. He has gone to his own place. Peace to his ashes.

FEDERAL CRIMINAL BUSINESS MOVING

Of eleven indictments presented by the Federal grand jury on Thursday, four are still on the secret file pending the arrest of the accused persons. Marshal E. R. Hendry is on Kauai, endeavoring to serve bench warrants under indictments. The grand jury in the meantime is putting in full time daily investigating other cases.

Open indictments are the following: Edwin K. Rose, for abstracting a Panama hat from the United States mails at Hilo; Elmer Sakamoto, Shobichi Kitazaki and Kiku Kitazaki, conspiracy to cause violation of law; Suyetaro Yumoto, Taketa and Oomoto, same as previous case; John Brown, retaining money without paying Internal Revenue tax; Kohachiro and M. J. Hill, defrauding; Thomas J. Dillon, subornation.

The trial jurors are under subpoena to appear on Monday.

Mrs. William G. Irwin is entertaining her sister-in-law, Mrs. Richard Irwin of Honolulu—Mrs. Irwin.

MIRANDA'S EXECUTION ELEVEN DAYS HENCE

Within One Month of Murder of Damon --- Governor Carter Signs the Death Warrant. No Crowd Allowed.

(From Saturday's Advertiser)

Jose Miranda, is to be hanged on Wednesday after next, the 26th of October, for the murder of Samuel Edward Damon on the night of Tuesday, the 27th of September.

Governor Carter signed Miranda's death warrant at 5:15 yesterday afternoon, immediately the preparation of the fatal document had been completed in the Secretary's office.

Prior to signing the instrument the Governor had given instructions that the execution should be conducted with the least possible ostentation and publicity. There are to be no cards of admission to the place of execution by favor. Permits to witness the solemn vindication of justice will be issued only to persons having a right or duty to be present. The general public will be represented by the press.

Following is the form of the death warrant:

DEATH WARRANT.
The Territory of Hawaii
To ARTHUR MORGAN BROWN, ESQUIRE, High Sheriff of the Territory of Hawaii.
Greeting:

Whereas JOSE MIRANDA, a native of Porto Rico, was indicted on the 28th day of September, A. D. 1904, for the crime of murder in the first degree, by the Grand Jury of the Circuit Court of the First Judicial Circuit, at a term thereof begun and held at Honolulu, Island of Oahu, on the 5th day of September, A. D. 1904, and

Whereas the said JOSE MIRANDA was arraigned upon said indictment on the 28th day of September, A. D. 1904, and pleaded not guilty to said charge, and thereafter, on the 3rd day of October, A. D. 1904, the said JOSE MIRANDA was put on trial before a Judge and Jury of the First Circuit Court, for the crime of murder in the first degree, as set forth in said indictment, and which trial continued from day to day, until the 6th day of October, A. D. 1904, upon which day said trial was concluded, and said JOSE MIRANDA was convicted of the crime of murder in the first degree for the killing of Samuel Edward Damon, at Moanalua, Island of Oahu, as set forth in said indictment, and thereafter, on the 11th day of October, A. D. 1904, in pursuance of such conviction, and of the law

in such case made and provided, the said JOSE MIRANDA was sentenced, by the said Circuit Court of the First Judicial Circuit, to be hanged by the neck until he be dead.
NOW THEREFORE, I, GEORGE R. CARTER, Governor of the Territory of Hawaii, by virtue of the authority in me vested by law, in pursuance of the sentence aforesaid, hereby command you, as High Sheriff of the Territory of Hawaii, that, laying aside all excuses, you take the said JOSE MIRANDA from his place of confinement in Oahu Prison, on the Twenty-sixth day of the month of October thence next ensuing, and on that day, between the hours of Ten o'clock in the morning and Three o'clock in the afternoon, you obey, fulfill, execute and perform all and every matter and thing specified in the said sentence of the said Circuit Court of the First Judicial Circuit, and, further, that you do make due return to the said Circuit Court of the First Judicial Circuit of your action under this warrant.

WITNESS MY HAND AND THE GREAT SEAL of the Territory of Hawaii, at the Executive Building, in Honolulu, Island of Oahu, Territory of Hawaii, this fourteenth day of October, A. D. 1904.
(Signed) GEORGE R. CARTER
By the Governor:
A. L. C. ATKINSON,
Secretary of Hawaii.

MERCHANTS INDORSE THE PROMOTION COMMITTEE

(Continued from Page 2.)
The Hawaii Promotion Committee came into existence August 1, 1903, composed of two members from each of the Merchants' Association and the Chamber of Commerce, who selected another member, making the committee membership five, of which the presidents of the above institutions are members ex-officio.

Receipts—From August 1, 1903, to June 30, 1904, the receipts amounted to \$18,700.45, out of which has been expended in the prosecution of the committee work the sum of \$15,090.64, leaving a balance on hand as of June 30, of \$3,609.81.

In addition to these receipts \$15,000 was appropriated by the Legislature, Of this sum, \$11,684.34 was expended for advertising under the supervision of the Treasurer, and paid out by warrants issued by the Auditor on the Treasurer.

The unexpended balance of this appropriation was held up by the Governor in the interests of economy. These funds not passing through the hands of the Treasurer of the Promotion Committee naturally do not appear in his report. Taking these funds, derived from government sources, together with the amounts from the committee report, we find that there has been expended for promotion work from August 1, 1903, to June 30, 1904, the sum of \$26,774.98.

Expenditures—These have all been gone over in detail AND WE FIND NOTHING TO CRITICISE. The various sums spent seem to have been judiciously and economically expended. Over half a million circulars of several sorts have been paid for and distributed.

Results—Your committee regrets that this large sum of money expended in the interest of tourist travel has not been productive of better results, but we do believe that the bulk of those tourists who have come, were induced to do so by the efforts of the Promotion Committee.

We are satisfied that this first year of the existence of this Promotion Committee has been an unusually unfortunate one in which to interest tourist travel to Hawaii. The statement of all the California resorts as to the falling off of travel this year bears us out in this, and what with the war in the Orient, the St. Louis Fair and a pending Presidential election, it is a wonder we got any results at all.

The work of the Committee—we find this to be a most exhaustive and thorough report, well planned and well executed. The Hawaiian Promotion Committee is in close touch with every branch of tourist information in the United States, every railroad and steamship line of our consequence, and their literature is to be found in every place possible, where it can do the most good.

opportunities of this work in their hands, reporting semi-annually to their parent bodies.

All of which is respectfully submitted.

E. A. McINERNEY,
Chairman,
I. S. DILLINGHAM, JR.,
FEDERAL BLOCK SITE.

The Association held a short discussion on the proposed boundaries within which the Federal building should be erected. It was decided to have Nuanu street as the boundary on the Ewa side. The sites considered were the Honolulu Hale property, the area on King street between E. O. Hall's and Lewers & Cooke; the Irwin property adjoining the Opera House, the Bishop Estate opposite the Young Hotel. The consensus of opinion was that the building should be as near Fort street as possible.

In off-hand discussion it was stated that the area between the Hall and Lewers & Cooke buildings is looked up, on as a most central place. The proposition is to cut a street through from King to Merchant street between the Lewers & Cooke building and Emmeluth's place, which would necessitate the removal of Harmony Hall. Another street would be cut through from King to Merchant streets with the Hall building on the Ewa side. This would give the Federal building a frontage on four streets.

MEMBERS FAVORABLE.

In the discussion following the reading of the Promotion committee report, all comments were more or less favorable, it being generally agreed that the work should be continued. Among those speaking to the proposition were: J. A. Gilman—"The report as read is exceedingly gratifying to me as a member of the Hawaii Promotion Committee. The outlook for the Promotion work is very good indeed. They have succeeded in negotiating with Frank Seaman in New York, one of the best advertising agents in the East, to work in that section of the country for Hawaii. As to the statement that the Promotion Committee is to bring out a number of editors to see Hawaii, I would say that the truth is that Seaman stated some time ago he was going to cross the continent in a private car and would take half a dozen of the leading editors with him. We opened up correspondence with him with a view to his coming here. He has deferred his visit. If the editors do come, all the Promotion committee would do would be to entertain them, by seeing that they visited the proper places and are looked after generally, and so on. The Young Hotel people have stated that the Hotel would be open free to the visitors; the steamship people would give them transportation; the railroads ditto. There is no intent on the part of the Promotion Committee to pay all their expenses."

James Steiner—"I think the Promotion Committee work a good thing. I think perhaps it ought to be a little more economical."

W. W. Hall of E. O. Hall & Son—"As a member of this committee I might say that perhaps it is a little unfortunate that the first year of our advertising should happen during the Fair time, for people had plans long ahead of time to go to the Fair. I think we certainly ought to keep up our advertising and the efforts of the Committee should be extended as much as possible to get results in coming years."

"People who have come here from abroad and with whom I have talked have said that we cannot expect results the first year. It has to grow. People will see the advertising during this first period and it will finally make an impression upon them and they will plan to come here as well as other places."

Edgar Lewis of Lewis & Co.—"I agree with Mr. Hall. I would like to see this work carried on further. When the results do come, they will come strong. I feel that this work has not been wasted. There have been many factors this year to keep people away from us. With all the large steamers coming here I think that big results will come and come very soon."

J. G. Rothwell of Peacock & Co.—"I extend my appreciation to the Promotion Committee for its work, and am entirely in accord with the suggestions made that it should not be abandoned. It should be kept up for five years at least. Do not expect results too soon. The only difficulty is the means of carrying it on. I think the effort should continue along the same lines."

"We should endeavor to get lower passenger rates. I am glad the committee has already been partly successful."

W. W. Harris of Lewers & Cooke—"I agree with the report thoroughly. We cannot get something for nothing. If we stop the expenditures now it would be wrong. The work should continue. I believe the next legislature will appropriate an additional amount of money as they did before. If we are to accomplish anything in the tourist line we must keep it up."

James Wakefield of Davies & Co.—"The report of the committee on publicity is very gratifying, and it would be exceedingly foolish to let the work drop by withdrawing our support. I think there has been faithful and intelligent work done. I would like to see a committee appointed to meet a committee from the Chamber of Commerce to discuss this matter thoroughly. To expect results from one year's work would be folly. No business man would expect great results in that time."

Mr. Waldron, Commissioner of the Hawaiian Islands, said that he had been thinking of the matter for some time, and that he had been talking with the Chamber of Commerce, and that he would be glad to have the committee take up the matter with the Chamber of Commerce. He thought it would be a good thing to endeavor to have that group of people take up the matter with the Chamber of Commerce, that is its part. I think it is the most important thing we can do."

J. Donald Little of New England Bank—"I feel very much in this matter as the other members do. I think the promotion work is a good thing for the city, and believe it ought to be kept up. I think that a fair of business building from Vancouver has cut the

UNDER ONE HEAD ONLY

All Public Lands to Be Placed in Pratt's Control.

(From Saturday's Advertiser)

As a result of a conference the Governor held yesterday with the Superintendent of Public Works and the Commissioner of Public Lands, all of the public lands hitherto controlled by the Public Works Department are to be placed, with the rest of the public domain, in the custody of the Land Department. It may be news to many people that there has been any such division of departmental control of Government lands as that now about to be abolished.

Governor Carter gave the following statement on the subject to an Advertiser reporter:

"Mr. Holloway and Mr. Pratt have been with me a good part of today, considering a change relative to lands on which rent has heretofore been paid to the Public Works Department—lands not actually in the use of that Department. Quite a lot of rent has been collected by the Public Works office."

"It has practically been a case of two departments of land and two men responsible in land matters. Each sometimes interpreted the laws differently from the other and they even made regulations at variance with each other."

"For some time past we have been asking if it would not be more economical and efficient, as well as best for the public interests, to have all of the land business under one management. The particular lands in question are a lot of remnants."

"Today we went over the list of all the lands. There were one or two technical questions to settle. Finally we decided to put all of the lands not in actual use by the Department of Public Works under Mr. Pratt, Commissioner of Public Lands, as was evidently intended by the Organic Act."

"By this change the Report of the Public Lands Department alone will show all of the revenue derived from that source. The Commissioner will be enabled to systematize the land administration more effectively, and in keeping his records can cover the business of these remnants as well as of the other lands."

Solid Citizen Stock

The boy who was lost in the Olaa jungle was but two months over five years of age and yet he managed to stand the exposure and privations for three days and nights without serious consequences. His father is a hard working settler and the sort of man that Hawaii needs. His little boy is a chip off the old block and will no doubt become a good citizen if pluck counts for anything. When his boy was found he wanted to show his gratitude to his neighbors for the assistance they had rendered, so he killed the only yearling calf he owned and distributed the meat among his Gallician neighbors. The man is in poor circumstances, but his heart is in the right place.—Hawaii Herald.

MISTAKEN DIAGNOSIS.

There are many people who have pains in the back and imagine that their kidneys are affected, while their only trouble is rheumatism of the muscles, which can be cured by a few applications of Chamberlain's Pain Balm, or by dampening a piece of flannel with the Pain Balm and binding it over the affected parts. A pain in the side or chest should be treated in the same manner and prompt relief is sure to follow. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

rate to Honolulu. This has been done through the efforts of the Promotion Committee. There is no reason on earth why we should not have a \$100 rate from San Francisco as well."

E. A. McInerney of McInerney & Company, Ltd.—"The principal thing is funds to prosecute the work. The election is coming along. This Association, according to its by-laws, cannot dabble in politics, but I think we have a right to find out from the gentlemen who are asking us for our votes what they think of this business. The tourist business is a public asset, and when we ask the legislature for funds we are asking for something that will benefit everybody whether he is a planter, a sailor or a laborer."

"It fairly took my breath away when I learned that the Chamber of Commerce looked upon the matter of the tonnage tax as a matter entirely under its control. That tax is paid mostly by the retail men of this city. I think it is time this Association should have something to say as to what should be done with that."

"I understand that not near so much will be required this year as in the past to carry on the promotion work. We can get along with considerably less money."

The special report was then adopted on motion of Mr. Harris.

Upon motion the board of directors was authorized to confer with the Chamber of Commerce on the tonnage tax matter.

REVENUE CUTTER PLAN.

A communication from the Collector of Customs was read in which the Association was asked to endorse a resolution requesting the Secretary of the Treasury to design a vessel especially fitted as a revenue cutter for service in Hawaiian waters.

INSURERS WIN OUT

Verdict Rendered After a Long Trial.

The Alliance Assurance Co. won the verdict in the suit brought against it by Kwong Lee Yuen & Co. on a policy insuring certain property in Chinatown which was destroyed by the fire that the Board of Health started on January 20, 1900. After a trial lasting four days the jury in Judge De Bolt's court retired five minutes past four yesterday afternoon, returning at five o'clock with a verdict for the defendant, signed by John Kidwell, foreman. Bailou & Marx and Anderson represented the plaintiff, and Robertson & Wilder the defendant.

WOODBIDGE SENTENCED.

Frank I. Woodbridge pleaded guilty to the indictment for embezzlement, and Judge Gear sentenced him to imprisonment at hard labor for six months. The indictment was found on August 19, 1902, charging Woodbridge with embezzling \$25 from Mr. Phillips & Co.

Attorney General Andrews asked for a light sentence, specifying six months as such when asked by Judge Gear to state his meaning of the term. It is understood that the request came from M. Phillips & Co., out of sympathy for defendant's relatives and regard for his own poor health. Other indictment against Woodbridge for larger amounts are pending but will probably be abandoned by the prosecution. A plea of not guilty to these was rendered.

Woodbridge, before his shortage in the Phillips concern was discovered in 1902, had disappeared in a steamer for the Orient. He was a through passenger for San Francisco in the transport Logan ten days ago, and his presence on board having been discovered he was arrested under the indictments of two years ago.

NEW TRIAL FOR MURDER.

A start was made with the new trial of Yoshiaga Dengiro for murder before Judge Gear yesterday morning. The examination of jurors for cause exhausted the panel in the forenoon and a special venire for 49 men was issued, returnable at 10 o'clock this morning. M. F. Prosser represents the Territory, and Henry Hogan the defendant.

Dengiro was indicted for murdering his stepfather at Kapaa, Kauai, May 2, 1902. He was tried and convicted in the Third Circuit Court at Lihue, and Judge Hardy sentenced him to death. For error in charging the jury a new trial was granted by the Supreme Court and the venire was changed to the Circuit Court.

AN EJECTMENT CASE.

Judge Robinson was engaged yesterday with the trial of First National Bank of Hawaii vs. J. D. Gaines, J. M. McChesney and Alice M. McChesney, ejectment. The trial will be resumed at 9:30 this morning. Smith & Lewis for plaintiff; Bailou & Marx and R. B. Anderson for Gaines, and J. W. Cathcart for the McChesneys.

The jury consists of J. J. Sullivan, Arthur Johnstone, Charles P. Osborne, Patrick Ryan, James Armstrong, John R. Moniz, Harry A. Wilder, Wm. F. Erving, Norman Watkins, Lewis C. King, James Nott Jr., Arthur L. Soule.

COURT NOTES.

Mrs. Kelesia Mary Puuk was appointed guardian of her daughter, Mary Kahai, by Judge Robinson.

Defendant in the suit of Pang King Chee et al. vs. A. Morimoto by his attorney, E. M. Watson, has discontinued his appeal from the District Court of Honolulu.

AS TO HANA PLANTATION

E. A. Mott-Smith, receiver of Hana Plantation Co., has filed a preliminary report before Judge Robinson. It occupies 64 pages of typewriting. He states that he has arranged with M. S. Grinbaum & Co. to finance his receiver's paper, on the following approximate estimate of cost:

August, 1904	\$ 621.91
September	9,950.00
October	9,950.00
November	12,950.00

The outstanding bond indebtedness of the company on September 22, 1904, as shown by the books of the company, is \$160,000. The amount of capital stock paid in, as shown by the books of the company, on September 22 was \$427,717. The present authorized capital is \$5,000,000 divided into 50,000 shares of the denomination of \$100 each. The outstanding account due agents totals up \$873,425.50.

In conclusion the receiver recommends that the plantation be conducted along the lines set forth in the report pending settlement of the issues in the case—that of Edmund Greenbaum and Charles Altschul, trustees, vs. Hana Plantation Co., M. S. Grinbaum & Co., Ltd., and Union Trust Co. of San Francisco. "There are certain losses," the receiver adds, "held by the Hana Plantation Co. which are of no value to the plantation. I respectfully request instructions as to the payment of rent on such losses."

The five staple lands of the plantation are approximately 1000 acres and leased lands of which 2000 acres are approximately 10,000 acres.

GRAND JURY ENDS WORK

Exclusion Act Matter Decision and Other Business.

By last night the Federal grand jury had practically completed its investigations of cases presented to it. Its final report will be rendered before Judge Dole today. Members of the body from the other islands will therefore be able to leave for their homes in today's steamers.

District Attorney R. W. Breckons has won the admiration of the grand jurors by the able manner in which he has conducted the business. He had the United States cases so well prepared that there was no time wasted. If a witness was lacking for the moment when one case was called, Mr. Breckons at once substituted another case. There was consequently a steady presentation of matters for investigation.

COURT BUSINESS.

On the roll call of trial jurors yesterday E. E. Hartman and T. W. Hobson failed to answer and attachments were issued to bring them into court. After a number of excuses had been granted, the available panel was reduced to seven men. A special venire was issued for eighteen men returnable today.

The sentence of John Samoa, who pleaded guilty to illicit liquor selling, was continued till today.

Captain William Treanor, master of the American schooner M. Turner, was arrested on Kauai by Marshal Hendry on a bench warrant pursuant to indictment for smuggling and selling liquor at Kahului on a former trip. He gave a bond yesterday in the sum of \$1000. The Turner is at Elele from Newcastle, N. S. W., with coal.

Adachi, charged with perjury, whom Marshal Hendry brought back from Japan under extradition proceedings, is to be tried this morning.

EXCLUSION ACT CASE.

Judge Dole yesterday rendered a decision in the Pang Kun habeas corpus matter, in which the father of the subject contended that the boy was unlawfully prevented from landing. His conclusion reads:

"It is well settled by repeated decisions that the Federal Courts have no authority to review the decisions of Immigration officers made under authority of the statute affecting the right of aliens to enter the country."

"The Immigration officer was given constitutional authority by statute to determine the question of the right of Pang Kun to enter the country, subject to his right to appeal to the Department of Commerce and Labor. He has decided the question against such right. The said Pang Kun has had his appeal to the Department of Commerce and Labor, and the decision of the Immigration officer has been confirmed, and such decision is made final by the statute. Unless it should appear that Pang Kun was deprived of a hearing under the statutes referred to, or that the Immigration officers had in some way failed to conform thereto, so that the question had arisen in the case whether he had received the benefit of due process of law in the trial of his claim that he had a right to enter the country, this court would have no jurisdiction to interfere."

"I find no basis for interference in the facts alleged to the petition and the demurrer is therefore allowed and the petition dismissed. The Marshal is ordered to deliver the said Pang Kun to the respondent for such further proceedings as are required by law."

F. E. Thompson and C. F. Clemons, petitioner; J. J. Dunne, Assistant District Attorney, for the Immigration officers.

The inventory of mill and other buildings, plantation equipment, etc., takes several pages. For the crop of 1904-05 there are 535 acres plant cane, 375 acres short first ratoons, 150 acres short second ratoons, 71 acres long ratoons, a total of 1131 acres. For the 1905-06 crop there is a total in growth of 172.50 acres.

Mr. Mott-Smith appointed E. Worthington as his personal representative on the plantation at a salary of \$225 a month, H. C. Ovenden as bookkeeper at \$150 and F. S. Dunn as engineer at \$170.

The trial balance sheet made on August 25, 1904, shows a deficiency of \$121,954.04, making the account balance at \$1,289,956.81.

The pay roll, when the receiver took charge, showed eighteen persons classified as skilled labor, with pay ranging from \$225 to \$30 a month, and 255 men and 22 women classified as unskilled labor, with wages ranging from \$1 to 40 cents a day.

The report of the receiver is set for hearing on Saturday, October 25, at 9:30, before Judge Robinson.

DEPUTY ATTORNEY- GENERAL DOYLE

Chester Doyle left last night on the steamer Nuevu for Kauai to prosecute, on behalf of the Attorney General's department, the persons responsible for the two murders committed on the floor of the hotel and reported yesterday by wireless telegraph. Sheriff Conroy of Kauai, who has been here in attendance on some court cases, left in the same steamer.

The men reported previously as having been found hanging in a tree in Hilo district proved to have been a Chinese named Young Wan.

MAUI GRAND JURY ROASTS THE POLICE

Alleges the Hiring of Habitual Criminals as Spies--Ashford Conducts Government Cases--Political and Personal.

WAILUKU, Maui, Oct. 13.—Late this afternoon the grand jury presented their final report to Judge Kepoikai as follows:

REPORT OF THE GRAND JURY.

"We, the undersigned, grand jurors of your Honorable Court, beg to make our final report as follows:

"We have investigated fifteen (15) cases, and have found ten (10) true bills, as follows:

"(1) True bills found and indictments presented as follows: Tsue, embezzlement of more than one hundred dollars; Mitama, selling liquor without license; Papa Kahauliello, mayhem; Manuel Chase, assault and battery with a weapon dangerous to life; Sasake Kekichi, embezzlement; Roke Posano, larceny first degree; Tai Sing and Ah Mai, burglary first degree; Joseph Kahili, embezzlement; Kaahue Ioane and Kaia, assault and battery.

"(2) In the following cases, after due investigation, we have declined to indict, viz: Y. Sumisaki, selling liquor without license; Ah Tong et al, gaming at Kahului; Ah Lo, two cases, selling liquor without license; Aka, selling liquor without license.

"We have had several cases before us in which the police department has figured. We are much impressed with the methods resorted to by them in obtaining testimony in liquor cases, having no regard, in many instances, as to the character of their paid spies. In two cases before us, we feel that the spies were perjurers, and one spy admitted having been in jail three times, for various offenses.

"We have heard much evidence, so much as to make it convincing to our members, that the police department are lax in their methods, that many of the officers are inefficient; in fact, we think there should be a general shaking up of the department.

"Instances have come to our knowledge of the divulgence by members of grand juries of the proceedings had before them. Without a desire to mention the names of offending members of those bodies, we respectfully recommend that all grand juries and jurors be so admonished by the court, as to reprove past, and prevent future violations of the secrecy which should attend all proceedings before the grand jury.

"We further recommend that the clerk of this grand jury, Mr. T. M. Church, be paid a reasonable sum in addition to his per diem as a grand juror, for his faithful and arduous services as clerk of this body.

"We thank the court and its officers for the courtesies extended to the members of this grand jury during our labors.

"And having completed our duties, and given our best attention to all the matters submitted to our consideration by the court, or by the Deputy Attorney-General, we respectfully ask that this grand jury be now discharged for the term.

"Dated at Wailuku, Maui, this 13th day of October, 1904."

OPENING OF TERM.

The October, 1904, term of the Second Circuit convened on last Wednesday morning at 10 o'clock, Hon. A. N. Kepoikai presiding.

Those present were: C. W. Ashford, Deputy Attorney General, prosecuting during the term; Edmund H. Hart, clerk; Chas. Wilcox, Hawaiian Interpreter; Chang Kim, Chinese Interpreter; Judge W. McKay, W. F. Crockett, D. H. Case, J. L. Coke, John Richardson, A. G. Correa, J. M. Vivas.

After the opening of the court at 10 o'clock the court delivered its charge to the grand jury.

THE COURT'S CHARGE.

"Gentlemen of the Grand Jury:

"We are here again in obedience to our system of laws. As a grand jury of this court, you have jurisdiction of offenses against the laws of the Territory of Hawaii committed within the Second Judicial Circuit, or within the jurisdiction of this court. Persons charged with the commission of crimes, the punishment for which is infamous, will receive your attention. All felonies belong to the class of infamous crimes.

"You are required to examine all matters submitted to you by the court, or the attorney in charge of the prosecution at this term, and other matters that may come to your knowledge in the course of your investigation, or from your own observations, or such as may be disclosed by your members, and it will be your duty to investigate without fear or favor all such crimes.

"The matters for your investigation at this term of court will be submitted to you by the prosecuting attorney. No indictment can be found nor any presentment be made without the concurrence of at least twelve of your members.

"The court alone can excuse a grand juror, and although the grand jury may excuse temporarily one or more of its members, there must be at least sixteen of you present at each sitting.

"Your deliberations must be absolutely secret, and any one of you who discloses anything that takes place within your council subjects himself to punishment. Each witness and interpreter should be admonished by you to keep absolute and inviolable in their proceedings your council.

"You are not to bring the person charged with the crime before you for examination, but you may permit him, if he wishes to do so, on his own volition. You must first warn him that his statement may be taken against him. You must be thoroughly satisfied that he understands what he is doing, and that he does it voluntarily.

"It is within your power to investigate alleged irregularities in public offices and other matters of public nature, and the different departments of the government within the jurisdiction of this court may be matters for your investigation when brought to your attention by the prosecuting attorney.

"You have the process of this court in compelling the attendance of witnesses in all matters, and if in any matter there is a refusal to appear before you to testify, you should at once apply to the court, and proper steps will be taken to assist you.

"The prosecuting attorney will wait upon you to assist you in all matters you may require his services or advice. An officer will be placed at your service.

"I appoint C. B. Wells, Esq., as your foreman. You will select your own secretary from among your members."

The following are the members of the grand jury: C. B. Wells, foreman; Geo. Baldwin, T. M. Church, E. Daniels, A. Douse, R. E. Ford, A. Fernandez, Jr., A. Guernier, W. B. Hardy, C. K. Haul, Jas. Kawalo, Geo. Maxwell, L. K. Tilton and J. Miranda.

PROGRESS OF BUSINESS.

The following cases have been disposed of since the opening of the court: Territory of Hawaii vs. Y. Sumisaki. Selling liquor without a license. Richardson for defendant. Nolle pro.

Territory of Hawaii vs. Yak Man and John Mahu. Violating Sec. 1448 of the Penal Laws. Coke for defendants. Nolle pro.

Territory of Hawaii vs. Ah Tong and five others. Gaming. Ball forfeited. Territory of Hawaii vs. Akina et al. Gaming. Vivas for defendants. Ball forfeited as to Hirochigi and nolle pro, entered as to other defendants.

Territory of Hawaii vs. Ah Lo (two charges). Selling liquor without a license. Coke for defendant. Nolle pro. Territory of Hawaii vs. Aka. Selling liquor without a license. Coke for defendant. Nolle pro.

Territory of Hawaii vs. M. Cabral. Burglary first degree. Vivas for defendant. Defendant discharged on motion of the Deputy Attorney General. Territory of Hawaii vs. D. Kaomea. Larceny second degree. Vivas for defendant. Nolle pro.

Territory of Hawaii vs. Funaoka. Assault and battery. Defendant pleads guilty. Fined \$10, costs remitted.

J. A. Ahong vs. Haiku Sugar Co. Trespass on the case. Continued until next term by stipulation. Kinney, McClanahan & Cooper for plaintiff; Smith & Lewis for defendant.

S. Ahmi vs. L. M. Baldwin et al. Damages. Coke and Watson for plaintiff; Magoon for defendants. Continued until next term by agreement of counsel.

W. L. Hardy vs. Hana Plantation Co. Coke and Watson for plaintiff; Holmes & Stanley for defendant. Continued until next term.

Meleaka How On vs. Amoe Ah Ho et al. Ejectment. Stricken from the calendar.

Rosale Lyons vs. J. W. Kalua, Ejectment. Coke for plaintiff; Correa and Vivas for defendant. Continued for the term. Macfarlane & Co. vs. William White. Assumpsit. Coke for plaintiff; Correa and Vivas for defendant. Defendant confesses judgment.

Hackfeld & Co. vs. William White. Assumpsit. Coke for plaintiff; Creighton and Correa for defendant. Defendant confesses judgment.

The grand jury yesterday filed a partial report, finding four indictments, viz: Territory vs. Manuel Chase, assault and battery with a weapon; Territory of Hawaii vs. Sasake Kekichi, embezzlement; Territory of Hawaii vs. Roke Posano, larceny first degree, and Territory of Hawaii vs. Tsue, embezzlement.

It is expected that the grand jury will make their final report this afternoon or evening.

The trial of the case of the Territory vs. Tsue was begun today before a jury and has been continued until Monday morning at 10 o'clock, owing to Mr. Ashford's engagement before the grand jury as Deputy Attorney General.

OTHER NOTES.

Lieut. Sam Kellini entertained the Republican candidates for Senators and Representatives at his home at Wailuku yesterday (Friday) afternoon prior to his departure for Kona, Hawaii. Those present were: George Copp, John Kalini, M. K. Nakulua, A. N. Haystack, Philip Pali, A. G. Correa, George Cooper, F. W. Beckley, W. P. Hala and John Kiri.

A severe shock of earthquake was felt throughout Maui on last Friday morning at about seven minutes to four o'clock.

Prince Capiti, the Republican nominee for Delegate to Congress, came over by Wailuku today accompanied by Judge Monahan, D. Kalauchuan, Jr., and Stephen Duma, and a large number of people. He has been engaged to take place at the Wailuku shooting club at 10 o'clock, at which time and place speaking will be made by Prince Kapiti.

LOST BOY WAS FOUND

Movements of Political Leaders--Teachers' Union Meets.

HILO, Oct. 14.—The little Galician boy who was lost in the woods at twenty-two miles, Olan, last week, was found by his father and uncle about a mile and a half from his home on Thursday. While climbing over a log the little fellow dropped his cane knife which struck his foot cutting a deep gash. He could go no further owing to exhaustion due to exposure and loss of blood. He made a nest in the ferns and lay there until found by his father. He was carried to the station at Glenwood where Mr. Jenkins and Mrs. Fuhr took charge of him. The latter was stopping at the station for a week recuperating her health and was there when the boy was brought in. She immediately took charge of him and nursed him until Saturday when she brought him to the Hilo Hospital taking care of him until he was taken to his home by his father on Tuesday. He was in a weakened state but no doubt was felt as to his ultimate recovery.

TEACHERS' UNION.

The Hilo Teachers' Union held its first quarterly meeting of the school year last Friday morning at the Union School. There were present thirty-seven members and sixteen visitors. President Levi C. Lyman presided, and Rev. C. E. Shields opened the exercises with prayer. The following new officers were elected: President, L. C. Lyman; vice-president, Miss Ward; secretary-treasurer, Wm. McCluskey.

The program, which proved to be a most entertaining one, opened with a class exercise of free callisthenics, executed by twelve girls from the upper grades of the Union School under the direction of Principal C. O. Smith. Mrs. Tracy followed with a class of little tots, who played several language games, designed to bring into action the different human senses.

With a fifth grade class from Miss Pomeroy's room, Miss Florence Hill illustrated her method of teaching physiology. W. H. Smith read a treatise on Philology.

VARIOUS ITEMS.

A Japanese charged with striking a Porto Rican at nine miles on the head with a hammer, was committed to the grand jury by Judge Hapai on Tuesday.

Rev. S. L. Desha will leave for Honolulu tomorrow for the purpose of talking over land matters with the governor. He will campaign on Maui before returning to Hilo.

There will be a big Democratic rally at the hotel grounds at 7:30 Saturday night. Frank Woods, Governor Baker, T. J. Ryan and the candidates for representatives and others will speak.

The sheriff has placed the accounts of the Owl Drug Co. in the hands of W. S. Wise for collection and all persons indebted to the company will call upon him without delay and settle.

Candidate Hewitt spoke at the fish-market Friday night and left Saturday morning for Pahala for the purpose of registering. He was back again Saturday night and spoke at the meeting at Puapaku.

A Japanese confined in the Hilo jail and suffering from beri beri attempted suicide last Saturday but was discovered by the prison cook and prevented from doing himself any injury. He had a noose around his neck when the cook noticed him, preparing to jump.

A Portuguese driver in the employ of Hoffschlaeger & Co. was stopped by three Porto Ricans near Onomea on Monday night. The man shouted for assistance and was answered by a Japanese, and the men ran away. After securing help at the plantation the party went back but failed to find the Porto Ricans.

The Hilo railway shops are running as usual. There is no truth in the rumor that work has been suspended and that the shops are closed down.

Explain Their Defeat.

Members of the Honolulu Chess Club who took part in the wireless telegraph matches with the Hilo Chess Club explain that they resigned owing to errors made in transmission of moves. Their games were thus ruined while yet in hopeful state. Hilo did not tender the privilege of correction, as Honolulu did to Hilo in similar case early in the contests. As there is no more obligation to make such concessions in a correspondence game than exists in a match over the board, Honolulu is not kicking but only explaining.

LAME BACK.

This ailment is usually caused by rheumatism of the muscles and may be cured by applying Chamberlain's Pain Balm two or three times a day and rubbing the parts vigorously at each application. If this does not afford relief, bind on a piece of flannel slightly dampened with Pain Balm, and quick relief is almost sure to follow. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

hilo and the candidates for Senators and Representatives on this island.

D. H. Case, one of the leading attorneys here, will leave by the Clarendon this evening on business and will return next Wednesday morning, at which time he will take up his case.

Just J. W. Kalua, who has been ill during the past two weeks, is now convalescing.

THE LAW IN FOUR CASES

Appeals Are Dismissed By Supreme Court.

Four cases were determined by unanimous opinions of the Supreme Court rendered yesterday. In all the appeals were dismissed. The gist of each deliverance is given below.

MRS. PRATT WINS.

By a unanimous opinion of the Supreme Court, written by Justice Hartwell, the verdict for the plaintiff is sustained in the suit of Elizabeth K. Pratt vs. Y. Ahin and Yee Nam, partners under the firm name of Y. Ahin Co. The case was tried before Judge De Bolt. C. W. Ashford appeared for plaintiff, and Castle & Withington for defendants. The syllabus of opinion is as follows:

"Assignment of lease by consent of lessor, followed by acceptance of rent from the assignee, does not release the lessee from its covenant to pay rent, although the lease did not prohibit assignment, and the assignee was a partner in the lessee's firm.

"A verdict for the plaintiff for \$320 and interest at six per cent., is not invalid for uncertainty in an action of covenant for nonpayment of rent payable in semi-annual instalments, fixing the date from which to compute interest.

"Defense of payment is a question of fact for the jury, concerning which no question of law is raised by a general exception to the verdict as contrary to law and evidence."

The last part refers to a claim that \$150 was paid to the plaintiff's agent, which the agent in evidence denied, and the verdict was conclusive on that point.

KALANIANAOLE LOSES.

The suit of J. K. Kalaniana'ole vs. W. W. Dimond & Co., Ltd., assigning as error the order of the First Circuit Court in dismissing an appeal taken by the plaintiff in error from a judgment by default made against him by the district magistrate of Honolulu, C. W. Ashford and C. A. Long for plaintiff in error; Thayer & Hemenway for defendant in error. The law given is in effect that, though there is an appeal from a district magistrate, "the reasons, if any exist, for the removal of a default should be presented to the court which has ordered it." These words are adopted from a former Hawaiian decision, Luce vs. Chin Wa, 6 Haw. 629 (1886).

MATTER OF COMMISSIONS.

Justice Hatch writes the unanimous decision of the Supreme Court in the matter of the estate of August Kraft, deceased, sustaining Judge De Bolt in refusing to allow W. L. Howard, administrator, a commission of \$707.74, being five per cent. commission on the sum of \$14,154.75, the appraised value of the real and personal property elected to be taken by the legatees in lieu of the proceeds of the sale of such property.

It is found that the practice for thirty years in this jurisdiction, as well as the existing law on the subject, forbids the payment of commissions to administrators excepting upon the actual collection and disbursement of cash. On the hearing it was urged that the court should reverse the decision in the Kraft case, 3 Hawaiian 258, and follow the rule adopted in more recent cases in New York and some other States.

"The decisions in the different States are not uniform," the present decision comments. "Their statutes upon this subject differ in so many respects from ours that little aid can be gained from a consideration of the cases upon those statutes in any question of construction of our own statutes. Aside from this, however, we consider that where a rule has prevailed for so long a time in our own courts it should not be departed from unless a very conclusive case is made out for the adoption of a new rule. The statute is clear and positive in its terms and scarcely allows room for difference of opinion in the construction of the same."

In conclusion, however, the court inclines to the view that the law might properly be changed, saying: "It would appear reasonable that an executor in cases like the present should receive some compensation for services both in the care of the real estate and in preparing for a sale. The court, however, is without authority to make an allowance. The only remedy is through the Legislature by an amendment of the statute."

LAND TITLE.

Judge De Bolt is sustained in a decision he made in the case of Maggie Fisher vs. Keukahi Wallehau and J. Alfred Magoon, by a unanimous opinion of the Supreme Court written by Justice Hatch. The appeal of the defendants is dismissed. E. M. Watson appeared for plaintiff; J. Alfred Magoon and J. Lightfoot for defendant Magoon. The syllabus explains the point decided thus:

"A deed conveying fifty acres out of a larger tract or tracts, but not attempting to locate the parcel conveyed, takes effect as a conveyance of an undivided interest in the whole land and is not void for uncertainty. The interest conveyed is in the proportion that the number of acres conveyed bears to the number of acres in the whole land."

The New Soil Vaccination Is Producing Great Crops of Other Things---Bacteria Which Invigorates Seeds Without Fertilization.

They concluded that the smaller Great
Lake something to do with the extent of
the plume. In dispersing a turbid

senior people will retain their high activity for a long time if carefully

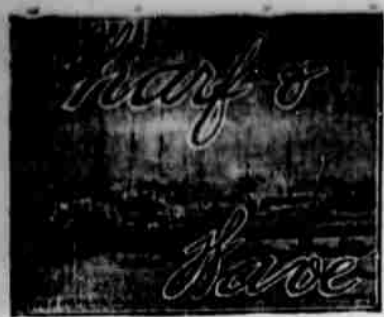
attempts to do and that they would have done if unimpeded. In other words, they make the two main issues

Says Republicans Plotted His Arrest.

Country	Year	Value
China	1990	1.0
India	1990	1.0
USA	1990	1.0
Japan	1990	1.0
UK	1990	1.0



Honolulu.



HOW SUGAR CANE MIGHT BE HELPED

Honolulu, Oct. 17, 1904.

Editor Advertiser: I do not want to enter into a controversy with Mr. Jared Smith on the value of soil inoculation, but it seems to me that in his opinion was correctly reported in Sunday's paper he has missed the most important part of the article as far as we are concerned. The paragraph referred to is:

"The germs can be used in any climate. It must be clearly understood, however, that only leguminous plants—beans, clover, alfalfa, peas, lupin, vetch, etc.—are directly benefited by the nitrogen fixing bacteria. Where the soil is rich in nitrates, the crop is not appreciably increased by the use of the inoculating bacteria; but where the soil is poor, the harvest is increased many times."

Now, to my knowledge, several of the plantations in the islands have planted lupins occasionally to improve their poorer lands, would not the value of this planting have been immensely increased if the seed had been previously treated with this nitrogen fixing bacteria? In the table attached to the article cotton increased 40 per cent, oats 300 per cent, rye 400 per cent and wheat 45 per cent. None of these are legumes but were planted the season following a crop of bacteria-treated legumes. Would not the effect be the same with sugar cane?

C. V. E. D.

WALLER MAKES A KEYNOTE ADDRESS

(Continued from page 1.)

matter for a candidate to make promises to his constituents and another thing for him to fulfill them. It is for this reason that I do not propose to commit myself to any rash promises. The integrity of the men on the tickets should be scrutinized and proper consideration given to the question as to whether they are of the caliber likely to favor legislation for the masses. Unless we are prepared to do our duty to those we represent we cannot expect them to do their duty to us, and if we are to stand for the government of the people by the people and for the people, we cannot consistently favor any measure that looks solely in the direction of personal advantage. I make no pretense, at being a professional politician, but being a resident of this community for over twenty years and having been identified during that time with its interests I have watched with close attention and sometimes with great apprehension the administration of public affairs, and I have seen the wheels of the government clogged by the personal greed of those who had pledged themselves to conserve the public weal, and I come before you in this campaign with the pledge that I will do the best with the hand I have for the common interests of the community—that I will have the spirit to do anything that appears not to be in the truth of my spirit—and though conscious of the methods employed to impugn the motives of an individual who essays to appear in public life, I am prepared to let the dogs bark and pass on.

Who Langston Is.

James Frye Langston was born at Knob Noster, Missouri. He graduated from the State Normal School in the class of 1889 and afterwards taught school for two years. He then removed to Colorado and Montana, engaging in the business of a contractor and millwright. When the Spanish-American war broke out he was employed by the United States government as a draughtsman in the Engineer Corps of the army and served in Utah, California and Honolulu during the war. During this time he was promoted twice and received an honorable discharge with a clean record, not having a mark against him in all his service. Since residing in Honolulu he has engaged in the business of a contractor with the firm of McDonald & Langston.

Sugar List.

Admiral Beckley reports the following sugar ready for shipment at Hawaii ports: Punaluu, 5600; Honoapoo, 1732; all others, none.

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, station vessel.
U. S. Training Cruiser Buffalo, Everett, Midway and Alaska, Sept. 20.
U. S. Coast Survey Steamer Patterson, Pratt, Dutch Harbor, Oct. 13.

MERCHANT VESSELS.

Alpena, Am. schr., Spicer, Newcastle, Oct. 16.
Doric, Br. S. S., Smith, Hongkong, Oct. 17.
Erakine M. Phelps, Am. sp., Graham, Philadelphia, Aug. 21.
Fairport, Br. sp., Armstrong, Hamburg, Oct. 4.

Mohican, Am. bk., Kelly, San Francisco, Oct. 7.
Olympic, Am. bk., Evans, San Francisco, Oct. 13.
Santiago, Am. bk., Anderson, San Francisco, Aug. 28.

CHAMBERLAIN'S COLIC, COLIC, CHOLERA AND DIARRHOEA REMEDY.

The uniform success of this remedy has made it the most popular preparation in use for the bowel complaints. It is every where recognized as the sure remedy and that it is pleasant to take. For sale by all druggists and grocers. Beware of cheap imitations. Chamberlain & Co., Lowell, Mass., U. S. A.

GOVERNMENT AID TO THE PORT.

River and Harbor Bill Soon To Shape Up.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Oct. 3.—Chairman T. E. Burton, of the House River and Harbor Committee, when here a few days ago, stated that there would be a river and harbor bill at the session of Congress this winter and that his committee would begin the preparation of that measure immediately after the election, which is November 8. The purpose of the early preparation is to have the bill somewhere near ready for consideration by the House when Congress meets early in December.

He reiterated his friendliness towards Hawaii. "I feel disposed to do something on that bill, for the outlying possessions, if it be possible," said Mr. Burton, "but I do not want the facts regarding the harbors out there presented to me now. I should forget it all between now and November. After the election I shall be glad to hear what the conditions are so that they can be considered when we get to making up our bill."

The intention is to ask the committee for \$250,000 for Honolulu harbor and to press for that very earnestly. As is probably well understood already in Honolulu, the Territory will get nothing this winter if too many requests are pressed before Congress. The effort will be to concentrate upon a few of the most urgent matters and not let up till they are granted. One of these few items will be a \$250,000 appropriation for Honolulu harbor. Although the appropriation of that with-out a complete survey may be irregular, Mr. Burton is a very sensible man about improvements and a strong plea will be made with him as to the urgency of the Honolulu improvement. The inability of the big Pacific Mail liners to enter the harbor there and the prospects that they will have to take the northern passage, unless the harbor be deepened, as well as other arguments, will be pressed home forcibly.

JAPANESE FOR PANAMA.

Some inquiries have come here from Japan and also from Honolulu about the availability of Japanese laborers for digging the Panama Canal. The information thus far gained is not a very favorable character. In the first place it is not altogether improbable that little labor from distant places will be wanted. Admiral Walker, chief of the Canal Commission, said the other day that laborers were pouring in upon the isthmus from Trinidad and adjacent places in expectation of getting long jobs on the big ditch. The French left quite a working force in the Culebra cut. Furthermore the recent estimates of the engineers are for a much smaller number of laborers than originally. At first Admiral Walker thought that as many as 40,000 laborers would be wanted. Chief Engineer Wallace, after looking the project over closely, is convinced that improved machinery will play a much greater part in the excavations than was supposed and that this machinery will take the place of thousands upon thousands of laborers. Admiral Kenney who has recently been upon the isthmus, stated his opinion the other day that the working force of laborers necessary might be as small as 4000.

There is another difficulty about engaging Japanese laborers. It is the assurance required by the Imperial government that these laborers be well cared for and that they be returned eventually to their homes. These bonds and guarantees, required by the Imperial government, are costly and obtained only after considerable difficulty. Especially with but a small force of laborers needed, the prospects of Japanese labor being employed on the canal is very small.

HONOLULUANS IN WASHINGTON. Mr. J. S. McCandless, of Honolulu, is in Washington today and starts on a trip to New York tomorrow. He is here primarily to place his niece in a boarding school at Forest Glen, which is about a half hour's ride from this city. Mr. McCandless expects to return here before he starts West.

Dr. I. Mori, of Honolulu, well known as a physician there, is at the New Willard Hotel in this city. He has come to the States to read a medical paper on brain surgery before the Medical Congress at St. Louis. His visit to Washington is both on business and on pleasure. The doctor is highly pleased over his trip through the States.

Hon. and Mrs. William Hayward have arrived here from Honolulu and are now at their 1 street residence. Both enjoyed their stay in the islands. Mr. Hayward made a flying visit to New York late last week on personal business and is just back in town. He met both Dr. Mori and Mr. McCandless here this morning.

GOV. CARTER'S REPORT.

Governor Carter's annual report, has reached the Department of the Interior and has been sent to the Government Printing Office. It was said today that it would be ready two weeks before the report would be in type and ready to be made public. Nothing will be said of present from the Department about the contents of the report or about the Governor's recommendations. Secretary Hitchcock is in town but has not yet given the Hawaiian report any consideration.

CAMPAIGN IS LIVELIER.

The Presidential campaign is now opening up with some vigor, although thus far the apathy on the part of voters in pivotal states is most marked. That frightens both parties. Democrats made great headway last week in New York State and Judge Parker has started the organization of his party to work in the most vigorous fashion. The concession that New York State with thirty-nine electoral votes is about a toss up as between Parker and Roosevelt and also the concession that Judge D. Cady Herrick, the Democratic candidate for Governor, stands the best chance of being elected, has given Democrats elsewhere immense enthusiasm. The judgment of all conservative observers still is that Roosevelt will almost surely be elected, but Parker's much smaller chance is steadily improving. If Democrats can carry New York they must fight for about twenty electoral votes elsewhere to win, as a few small States are very likely to go for Parker.

That is what promises to make the struggle for Indiana, New Jersey and Connecticut something terrific before October is over. The Democrats have money and are prepared to spend it in States like Indiana and West Virginia where the purchasable vote is very large. But in New Jersey the Democratic prospects, with election only five weeks away, are very poor. In Connecticut the Democrats are more hopeful than in New Jersey and in Indiana more hopeful than in Connecticut. Judge Parker is now spending most of his time in New York City, making a strenuous effort to bring the Bryan faction into line. He is gaining a great reputation as a pacifier and has had great marked success thus far that still greater successes are predicted for him in bringing Bryanites back.

REPUBLICAN QUARRELS.

The whole trouble with the Republicans is their local quarrels in many pivotal states, added to which is their supreme confidence that their candidate can not be beaten. Roosevelt himself shares that view, which is inspired by Chairman Cortelyou. It is not seriously disputed that the Democratic campaign has gained in the last week and that the Republican campaign is now losing ground. But the Republican leaders are moving heaven and earth to put spirit into their workers. If they succeed they may force ahead and approach election day with more impetus than they have now. There is a very large silent vote, which refuses to declare itself. The poll takers in many States make the same reports on that point.

FOREIGN SUGAR.

United States Consul General W. R. Holloway, of Halifax, Nova Scotia, has forwarded to the Department of Commerce and Labor two reports on sugar crops. One is on the sugar crop of British Guiana and the other on the sugar crop of Barbados. With reference to British Guiana, Mr. Holloway says that "according to the Maratime Merchant, advices from Demerara state that the advanced canes, that is, those due for October, November and December reaping, are growing, but with less vigor than is usual at this season. The majority of these canes will be short when reaping time arrives and the yield of sugar will not be up to the average. The supply of labor continues short of requirements. At no period during the past twelve months has sufficient labor been available to undertake the full quantity of work offered by the estates."

"The sugar shipments for British Guiana in 1903 and 1904 were as follows:

	1903a	1904a
United Kingdom	2,229	3,763
United States	31,876	4,290
Canada	22,948	32,995
Total	57,053	41,148

a To Aug. 11, 1903, and to Aug. 9, 1904.

"Barbados report of August 13 says: 'Our sugar crop is now at an end with closing prices \$1.95 for 100 pounds for muscovados and \$2.30 for dark crystals, and it now appears that the output has

been overestimated, as we shall ship only about 55,000 tons, while earlier estimates gave the crop as 65,000 tons.'"

Shipping Notes.

Five days' mail will arrive tomorrow on the Pacific Mail liner Mongolia which left San Francisco on the 11th. The schooner Alpena hauled over to the coal wharf yesterday to discharge her 1600 tons of coal.

Six Japanese laborers are to be taken to Midway on the U. S. S. Buffalo in addition to the eight white workmen. The bark Andrew Welch arrived from San Francisco yesterday morning after a passage of eighteen days from San Francisco.

The Alpena was at Railway Wharf No. 2 yesterday loading sugar and a big shipment of pineapples, amounting to 4000 cases.

The Nevada was expected last night from the Sound but had not been reported up to ten o'clock. Evidently heavy weather prevails between this port and San Francisco.

The Rosecrans is still out. She has now been thirteen days in coming from San Francisco. Her longest previous record was eleven days. A terrific storm was encountered on that voyage.

COURT NOTICES

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee.

ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and, it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and, it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Honolulu, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOIKAI, Judge of the Circuit Court, Second Judicial Circuit.

Att'd: (Sgd.) EDMUND H. HART, Clerk, Second Circuit Court, 2628

ESTATE LILIH KAHA.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—IN PROBATE—AT CHAMBERS.

In the Matter of the Estate of Lilihi Kaha, deceased—Before Judge A. N. Kepoikai—Order of Notice of Petition for Allowance of Final Accounts and Discharge in this Estate.

On reading and filing the petition and accounts of W. O. Smith, Administrator of the Estate of Lilihi Kaha (deceased), wherein he asks to be allowed \$247.16 and he charges himself with \$1639.47, and asks that the same may be examined and approved, and that a final order may be made of Distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all further responsibility as such Administrator.

It is ordered that Thursday, the 17th day of November, A. D. 1904, at 10 o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Waikuku, Island of Maui, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, a semi-weekly newspaper printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Waikuku, Maui, this 25th day of September, 1904.

(Sgd.) EDMUND H. HART, Clerk of the Circuit Court of the Second Circuit.

ESTATE KALEKINA UNEA.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—IN PROBATE—AT CHAMBERS.

In the Matter of the Estate of Kalekina Unea, deceased—Before Judge A. N. Kepoikai—Order of Notice of Petition for Allowance of Final Accounts and Discharge in this Estate.

On reading and filing the petition and accounts of John T. Unea, Administrator with the Will Annexed of the Estate of Kalekina Unea, late of Kalaupapa, Molokai, deceased, wherein he asks to be allowed \$269.05 and he charges himself with \$187.85, and asks that the same may be examined and approved, and that a final order may be made of Distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all further responsibility as such Administrator with the Will Annexed.

It is ordered, that Thursday, the 17th day of November, A. D. 1904, at 10 o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Waikuku, Island of Maui, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, a semi-weekly newspaper printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Waikuku, Maui, this 25th day of September, 1904.

(Sgd.) EDMUND H. HART, Clerk of the Circuit Court of the Second Circuit.

FORECLOSURES.

ZELUBABERA KAKINA AND WIFE.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that by virtue of a power of sale contained in a certain mortgage made by Zelubabera Kakina and Kaul Z. Kakina, his wife, of Kawaihau, Island of Kauai, Territory of Hawaii, mortgagors, to Albert S. Wilcox, mortgagee, of Lihue, said Island of Kauai, dated October 15, 1900, and recorded in the Register Office, Oahu, in Liber 215, pages 207 to 209, the said mortgage, Albert S. Wilcox, intends to foreclose said mortgage for breach of the conditions therein named, to wit: non-payment of principal and interest when due.

Notice is further given that by virtue of a power of sale contained in a certain mortgage made by Zelubabera Kakina and Kaul Z. Kakina, his wife, of Kawaihau, Island of Kauai, Territory of Hawaii, mortgagors, to Albert S. Wilcox, mortgagee, of Lihue, said Island of Kauai, dated October 15, 1900, and recorded in the Register Office, Oahu, in Liber 215, pages 207 to 209, the said mortgage, Albert S. Wilcox, intends to foreclose said mortgage for breach of the conditions therein named, to wit: non-payment of principal and interest when due.

Notice is further given that the property conveyed by the said mortgage, and hereinbefore described, will be sold at public auction at the auction rooms of Jas. F. Morgan, Kaahumanu street, Honolulu, Island of Oahu, Territory of Hawaii, on Saturday, the 5th day of November, A. D. 1904, at 12 o'clock noon of said day.

The property to be sold, hereinabove referred to, is described as follows: First: All that parcel of land containing an area of one (1) acre situate in the Ahupua'a of Oloheua in said Island of Kauai, being the same premises described in deed from Mrs. Wahinekaia to said Kaul Z. Kakina, dated March 23, 1898, and recorded in the Registry of Deeds in Honolulu, Island of Oahu, in Liber 210 on pages 241 and 242.

Second: All the right, title, interest and estate of the said Zelubabera Kakina and said Kaul Z. Kakina in and to the Ahupua'a of Wainiha, District of Hanalei, in said Island of Kauai, and in and to the Huli Kaul Ahia o Wainiha and its property, being the same as described in deed from Josiah Laukane and his wife, Mrs. Merena Laukane, dated January 18, 1883, and recorded in said Registry in Liber 78, pages 167 and 168, and in deed from A. Puhee to said Zelubabera Kakina recorded in said Registry on the 10th day of June, 1889, in Liber 118, page 23.

Terms: Cash, United States Gold Coin, Deeds at expense of purchaser. For further particulars apply to Smith & Lewis, attorneys for Mortgagee, 207 Judd Building, Honolulu. Dated Honolulu, October 7, 1904.

ALBERT S. WILCOX, Mortgagee.

2623—T & F

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